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Federal Communications Commission
Consumer & Governmental Affairs Bureau
Washington, D C 20554

CGB**AUG 28 2003**

Control No 0302316/kah-Pol

The Honorable Maria Cantwell
United States Senator
Jackson Federal Building
915 2nd Avenue, Suite 3206
Seattle WA 98174

RECEIVED**SEP 11 2003**Federal Communications Commission
Consumer & Governmental Affairs Bureau

Dear Senator Cantwell

Thank you for your letter on behalf of your constituent, Donna Cameron, regarding the Federal Communications Commission's (Commission) recent amendment to the rules implementing the Telephone Consumer Protection Act of 1991 (TCPA). Specifically, Ms. Cameron expressed her concerns with the amended rules on unsolicited facsimile advertisements.

On July 3, 2003, the Commission released a Report and Order, which adopted rules establishing a national do-not-call registry and other amendments to its telemarketing and unsolicited facsimile advertising rules. As we explained in the Report and Order, the legislative history of the TCPA indicates that one of Congress' primary concerns was to protect the public from bearing the costs of unwanted advertising. Therefore, Congress determined that companies that wish to fax unsolicited advertisements to customers must obtain their express permission to do so before transmitting any faxes to them. The amended rules require all entities that wish to transmit advertisements to a facsimile machine to obtain permission from the recipient in writing.

The Commission's amended facsimile advertising rules were initially scheduled to go into effect on August 25, 2003. However, based on additional comments received since the adoption of the July Report and Order, the Commission, on its own motion, determined to delay the effective date of some of the amended facsimile rules, including the elimination of the established business relationship exemption, until January 1, 2005. The comments filed after the release of the Report and Order indicate that many organizations may need additional time to secure this written permission from individuals and businesses to which they fax advertisements. Enclosed is a copy of the Commission's Order on Reconsideration, released on August 18, 2003.

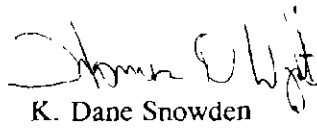
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The Honorable Maria Cantwell

Page 2

We appreciate your comments. We have placed a copy of your correspondence in the public record for this proceeding. Please do not hesitate to contact us if you have further questions

Sincerely,


For

K. Dane Snowden

Chief

Consumer & Governmental Affairs Bureau

Enclosures



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U.S. Senator Maria Cantwell
Jackson Federal Building
915 Second Avenue, Suite 3206
Seattle, WA 98174
(206) 220-6400
FAX (206) 220-6404

CGP
TCPA
2316

TO: Paul Jackson

FAX NO: _____

PHONE NO: _____

FROM: Jay Pearson

TOTAL NUMBER OF PAGES (INCLUDING COVER): _____

COMMENTS: _____

Urgent Request

Thank

717 Hart Senate Building
Washington, DC 20510
(202) 224-3441
FAX (202) 228-0514

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United States Senate

WASHINGTON, DC 20510-4705

August 7, 2003

Mr. Paul Jackson
Director Office of Legislative and Intergovernment Affairs
Federal Communications Commission
445 12th Street Southwest, Rm 8-C453
Washington, D C. 20024

RE: Donna Cameron
PO Box 2016
Edmonds, Washington 98020-9516

Dear Mr. Jackson:

My constituent, Donna Cameron, has contacted my office for assistance with a **critical and time sensitive issue** facing association executives, which falls within your jurisdiction. The following letter (e-mail) provides an explanation of Ms. Cameron's concern and request. I would appreciate your priority attention to this matter, and I look forward to your response.

Please direct your response to Jay Pearson in my Seattle District Office at Jackson Federal Building, 915 2nd Avenue, Suite 3206 Seattle, Washington, 98174. Jay Pearson can be reached via. phone: 206-220-6400, fax: 206-220-6404, or email: jay_pearson@cantwell.senate.gov.

If I can provide any additional information, please do not hesitate to contact my office. Again, thank you for your assistance in this matter.

Sincerely,



Maria Cantwell
United States Senator

MC jp
Enclosure

PLEASE REPLY TO

☐ U.S. FEDERAL COURTHOUSE
WEST 920 RIVERSIDE SUITE 837
SPOKANE, WA 99201
(509) 353-2507
FAX (509) 353-2347

☐ JACKSON FEDERAL BUILDING
915 2ND AVENUE, SUITE 3206
SEATTLE, WA 98174-1003
(206) 220-6400
TOLL FREE 1-858-648-7528
FAX (206) 220-6404

☐ MARSHALL HOUSE
1313 OAKCREEK ROW
FIRST FLOOR
VANCOUVER, WA 98661
(360) 696-7836
FAX (360) 696-7844

☐ 825 JADWIN AVENUE
G-58-A
RICHLAND, WA 98352
(509) 946-8106
FAX (509) 946-8377

☐ 717 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510-4705
(202) 224-3441
FAX (202) 228-0514

Internet: maria_cantwell@cantwell.senate.gov
Web: <http://cantwell.senate.gov>
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Washington Society of Association Executives

Dear Senator Cantwell:

We have a significant problem that will affect nearly every non-profit trade and professional association in the State of Washington. Washington Society members include the executive directors of most of the major associations in Washington (e.g., Medical Association, Bankers Association, CPA Society, Hospital Association, Home Builders Association, etc).

The amendments to the Telephone Consumer Protection Act issued late last month by the FCC carry significant consequences for associations and the way they inform their members about programs, membership, products, and services by fax. The new rules eliminate the "established business relationship" exception to the ban on unsolicited fax advertisements, forcing associations to now obtain the signed written consent of each fax recipient - including members - before faxes are sent

This will mean that without a signed written consent form, we cannot fax information to our members about an upcoming meeting or event. Nor can we fax to non-members who may call to find out more about the organization - to be sent information about membership or a conference.

Members pay dues to belong to our organizations. They want and expect to receive information in a timely fashion. Not being able to fax to them without their written permission makes no sense at all. We are not sending "spam." We are sending important information about their profession or business.

These new rules are scheduled to go into effect on August 25. Please help us to exempt non-profit trade and professional associations from this onerous provision. Can you help us to at least delay this provision so someone can review it and see the damage it is causing?

This is an extremely critical issues to associations in Washington state. I and my members are available to talk to you or Senator Cantwell about this at any time (the sooner the better). I hope you can help us. Please let me know if you need more information and if we can talk to you about the implications of this new FCC rule

Thank you.

Donna Cameron, CAE, Executive Director
Washington Society of Association Executives
P.O. Box 2016, Edmonds, WA 98020
phone: (425) 778-6162, fax: (425) 771-9588
e-mail: wsaedonna@aol.com
website: www.wsaenet.org